

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

**BILL SMITH PROPERTIES, INC.,**

**Plaintiff,**

**VS.**

**LIBERTY MUTUAL INSURANCE  
COMPANY and AMERICAN STATES  
INSURANCE COMPANY,**

## Defendants.

**CIVIL ACTION NO. 1:15-cv-95**

**JOINT MOTION TO DISMISS WITH PREJUDICE**

Plaintiff Bill Smith Properties, Inc. (“Plaintiff”), and Defendants Liberty Mutual Insurance Company and American States Insurance Company (“Defendants”) (Plaintiff and Defendants will be collectively referred to as the “Parties”) file this Joint Motion to Dismiss with Prejudice, and in support thereof would respectfully show the Court as follows:

All matters between the Parties have been fully settled. Accordingly, the Parties now request that this matter, including all claims that have been and/or could have been asserted by Plaintiff against Defendant Liberty Mutual Insurance Company and/or Defendant American States Insurance Company be dismissed with prejudice to the re-filing of same.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendants request that the above-styled and numbered case be dismissed with prejudice to the re-filing of same, with costs of Court to be taxed against the party incurring same.

**SIGNATURES ON FOLLOWING PAGE**

Respectfully Submitted,

/s/ Timothy M. Hoch

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**ATTORNEYS FOR PLAINTIFF  
BILL SMITH PROPERTIES, INC.**

/s/ Colin Batchelor

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**ATTORNEYS FOR DEFENDANTS  
LIBERTY MUTUAL INSURANCE COMPANY  
and AMERICAN STATES INSURANCE**

<b>CERTIFICATE OF SERVICE</b>
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In accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure, on November 17, 2015, a true and correct copy of the above and foregoing instrument was served *via facsimile or electronic service* upon:

**ATTORNEYS FOR PLAINTIFF**

Timothy M. Hoch  
SBN 09744950

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/s/ Colin Batchelor  
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